

REMARKS

The subject application has been carefully considered in view of the Examiner's Action of March 24, 2004. Accordingly, Claims 1-6 and 8-12 have been amended to more particularly point out and distinctly claim the invention. Claim 9 has been rewritten as a claim dependent on Claim 8. A new claim 14 is added which adds the limitations of Claim 7 to Claim 1. Portions of the specification also have been amended to correct minor errors.

The claims as now presented make clear that the plunger or actuator of the spray assembly is operatively connected to the outlet valve of a supply container such that when the sprayer is operated, the plunger or actuator moves responsive to flow through the sprayer assembly and such movement, in turn, moves the container valve to an open position. This structure and its operation are distinct from the teachings of the cited references and are unobvious.

Allison (US 5, 180, 439) discloses a fluid dispensing system wherein a control valve (36) is manually slidable to selectively connect the valve to the outlet (38 or 40) of either one of two dispensers. The control valve is in turn connected to a mixing valve (24). As stated at Column 4, lines 15-17, "The function of control valve is to alternatively direct cleaning solution and mixing solution to the mixing valve 24..."

The selective connection of the control valve to one or the other of the outlets (38 or 40) connection, *per se*, does not allow the discharge of fluids from the selected container and the connection remains closed until the mixing valve is operated.

In this respect discharge occurs when flow through a Venturi in the mixing valve causes a ball check valve (ball 72) to draw away from its seat and this opens the connection previously made by the manual positioning of the control valve. The ball check valve is the only structure moved by flow through the Venturi. In contrast, in the present invention, flow through a Venturi moves a

plunger and the movement of the plunger is directed against a container valve causing the container valve to move to an open position.

1. Claims 1-3 stand rejected under 35 U.S.C. 102(b) as being anticipated by Allison. For a rejection under 35 U.S.C. 102(b) to stand, each element of the rejected claim(s) must be found in a single reference. This is not the case here. In particular the reference does not disclose a "plunger having an end engaged against the outlet valve" the structure being arranged such that the outlet valve is "movable between closed and open positions responsive to the movement of the plunger" as set out in amended Claim 1.

Applicant further refers the Examiner to Applicant's page 6 of the Response dated January 6, 2004 and the argument urging that Allison's ball check valve 72 cannot be both the recited plunger and the outlet valve of Claim 1. The present amendment makes this explicit. Accordingly, for the reasons noted, the rejection is traversed.

2. Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Allison. Claim 8 is now amended to recite that the plunger has "an end engageable with the outlet valve" and that the outlet valve is "movable to the open position responsive to the movement of the plunger to the second position". As Allison neither discloses nor teaches a comparable structure wherein the valve is moved to an open position responsive to the movement of a Venturi activated plunger, the rejection is traversed.

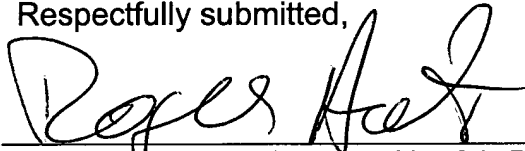
3. Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Allison in view of Wei. However Wei does not disclose the steps in amended Claim 12 of moving a plunger in response to a flow through the venturi and "contacting the plunger against a valve connected to an additive source and moving the valve to an open position in response to moving the plunger" for entraining additive from the additive source in the flow through the venturi. As

neither reference disclose method steps as now claimed, the rejection is traversed.

In view of the above amendments and comments, Applicant considers that Claims 1-3, 8 and 12 are in condition for allowance, which action is respectfully requested. In addition Applicant points out that all claims now are limited to a sprayer system or assembly and method including a plunger (or actuator) that is movable responsible to flow through a Venturi and a valve that is movable responsive to the movement of the plunger.

If the Examiner considers that further issues remain, the Examiner is invited to call the undersigned so that such matters can be promptly resolved and the prosecution of this application moved forward.

Respectfully submitted,



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